UNITED STATES DISTRICT COURT

for the

Central District of California

United States of America)		
V.) Case No. ED23MJ00362-DUTY		
Jaylen Simmons-Borders)		
Defendant)		
ORDER OF DETENTION PENDING TRIAL			
Part I - Eligibility for Detention			
Upon the			
☐ Motion of the Government attorney pur	suant to 18 U.S.C. § 3142(f)(1), or		
* -	wn motion pursuant to 18 U.S.C. § 3142(f)(2),		
	ion is warranted. This order sets forth the Court's findings of fact 2(i), in addition to any other findings made at the hearing.		
Part II - Findings of Fact and	Law as to Presumptions under § 3142(e)		
presumption that no condition or combination of cand the community because the following condition [1] (1) the defendant is charged with one of the [1] (a) a crime of violence, a violation of § 2332b(g)(5)(B) for which a maximum [1] (b) an offense for which the maximum [1] (c) an offense for which a maximum [1]	e following crimes described in 18 U.S.C. § 3142(f)(1): 18 U.S.C. § 1591, or an offense listed in 18 U.S.C. um term of imprisonment of 10 years or more is prescribed; or m sentence is life imprisonment or death; or term of imprisonment of 10 years or more is prescribed in the		
	. §§ 801-904), the Controlled Substances Import and Export Act 05 of Title 46, U.S.C. (46 U.S.C. §§ 70501-70508); or		
(a) through (c) of this paragraph, or to	n convicted of two or more offenses described in subparagraphs wo or more State or local offenses that would have been offenses the (c) of this paragraph if a circumstance giving rise to Federal ation of such offenses; or		
**	crime of violence but involves: of a firearm or destructive device (as defined in 18 U.S.C. § 921); (iv) a failure to register under 18 U.S.C. § 2250; <i>and</i>		
• • • • • • • • • • • • • • • • • • • •	ricted of a Federal offense that is described in 18 U.S.C. that would have been such an offense if a circumstance giving rise		
(3) the offense described in paragraph (2) a committed while the defendant was on rele	above for which the defendant has been convicted was ease pending trial for a Federal, State, or local offense; <i>and</i> is elapsed since the date of conviction, or the release of the		

defendant from imprisonment, for the offense described in paragraph (2) above, whichever is later.

B. Rebuttable Presumption Arises Under 18 U.S.C. § 3142(e)(3) (narcotics, firearm, other offenses): There is a	
rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the	e
defendant as required and the safety of the community because there is probable cause to believe that the defendant	ıt
committed one or more of the following offenses:	
\square (1) an offense for which a maximum term of imprisonment of 10 years or more is prescribed in the	
Controlled Substances Act (21 U.S.C. §§ 801-904), the Controlled Substances Import and Export Act (21 U.S.C. §§ 951-971), or Chapter 705 of Title 46, U.S.C. (46 U.S.C. §§ 70501-70508);	
(2) an offense under 18 U.S.C. §§ 924(c), 956(a), or 2332b;	
(3) an offense listed in 18 U.S.C. § 2332b(g)(5)(B) for which a maximum term of imprisonment of 10 years or more is prescribed;	S
(4) an offense under Chapter 77 of Title 18, U.S.C. (18 U.S.C. §§ 1581-1597) for which a maximum term of	of
imprisonment of 20 years or more is prescribed; or	
(5) an offense involving a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3), 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or 2425.	
☐ C. Conclusions Regarding Applicability of Any Presumption Established Above	
The defendant has not introduced sufficient evidence to rebut the presumption above, and detention is	
ordered on that basis. (Part III need not be completed.)	
OR	
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The defendant has presented evidence sufficient to rebut the presumption, but after considering the	
presumption and the other factors discussed below, detention is warranted.	
Part III - Analysis and Statement of the Reasons for Detention	
After considering the factors set forth in 18 U.S.C. § 3142(g) and the information presented at the detention hearing the Court concludes that the defendant must be detained pending trial because the Government has proven:	g,
By clear and convincing evidence that no condition or combination of conditions of release will reasonably assure the safety of any other person and the community.	
By a preponderance of evidence that no condition or combination of conditions of release will reasonably assure	
the defendant's appearance as required.	
the defendant's appearance as required.	
In addition to any findings made on the record at the hearing, the reasons for detention include the following:	
Weight of evidence against the defendant is strong	
Subject to lengthy period of incarceration if convicted	
Prior criminal history	
Participation in criminal activity while on probation, parole, or supervision	
History of violence or use of weapons	
History of alcohol or substance abuse	
☐ Lack of stable employment	
Lack of stable residence	
Lack of financially responsible sureties	

☐ Significant family or other ties outside the United States ☐ Lack of legal status in the United States ☐ Subject to removal or deportation after serving any period of incarceration	AO 472 (Rev. 11/16) Order of Detention Pending Trial
Prior failure to appear in court as ordered Prior attempt(s) to evade law enforcement Use of alias(es) or false documents Background information unknown or unverified	Lack of legal status in the United States Subject to removal or deportation after serving any period of incarceration Prior failure to appear in court as ordered Prior attempt(s) to evade law enforcement Use of alias(es) or false documents Background information unknown or unverified
Prior violations of probation, parole, or supervised release OTHER REASONS OR FURTHER EXPLANATION:	

Part IV - Directions Regarding Detention

The defendant is remanded to the custody of the Attorney General or to the Attorney General's designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant must be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

Date:	7/27/2023	- roull
		United States Magistrate Judge